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OFFICE OF PETITIONS

In re Application of	:
Thomas Michael Deaton	:
Application No. 10/799,152	: DECISION REFUSING STATUS
Filed: March 12, 2004	: UNDER 37 CFR 1.47(b)
For: VALVE CLOSING DEVICE	:
	:

This is in response to the petition under 37 CFR 1.47(b), filed March 12, 2004.

The petition is dismissed.

Rule 47 applicant is given TWO MONTHS from the mailing date of this decision to respond, correcting the below-noted deficiencies. Any response should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(b)" and may include an oath or declaration executed by the inventor. Failure to respond will result in abandonment of the application. Any extensions of time will be governed by 37 CFR 1.136(a).

The above-identified application was filed on March 12, 2004 without an executed oath or declaration and naming Thomas Michael Deaton as the sole inventor. A petition under 37 CFR 1.47(b) was filed with the application on March 12, 2004.

A grantable petition under 37 CFR 1.47(b) requires:

- (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration;
- (2) an acceptable oath or declaration;
- (3) the petition fee;

- (4) a statement of the last known address of the non-signing inventor;
- (5) proof of proprietary interest; and
- (6) proof of irreparable damage.

Applicant lacks item (3), as set forth above.

As to item (3), the required \$130.00 petition fee has not been submitted, nor is an authorization to charge a deposit account for the fee found in the application papers. As such, the petition can not be reviewed on the merits at this time.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petition
 Commissioner for Patents
 Box 1450
 Alexandria, VA 22313

By FAX: (703) 872-9306
 Attn: Office of Petitions

By hand: Customer Service Window
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 Crystal Plaza Two (left side entrance of building)
 Arlington, VA

Telephone inquiries should be directed to the undersigned at
(703) 306-9200.



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